

U.S. DISTRICT COURT
N.D. OF N.Y.
FILED

MAR 10 2015

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF NEW YORK

Paul A Gibson

Plaintiff(s)

vs.

NYS Olympic Regional Development Authority

Defendant(s)

LAWRENCE K. BAERMAN, CLERK

ALBANY

Civil Case No.:

8:15-cv-267
DNH/CFH

CIVIL COMPLAINT
PURSUANT TO
TITLE VII OF THE
CIVIL RIGHTS ACT,
AS AMENDED

Plaintiff(s) demand(s) a trial by: ☒ JURY ☐ COURT (Select only one).

JURISDICTION

1. Jurisdiction is conferred on this court pursuant to 42 U.S.C. § 2000e-5.

PARTIES

2. Plaintiff: Paul A Gibson

Address: 93 NEWMAN Road

Lake Placid

NEW YORK 12946

Additional Plaintiffs may be added on a separate sheet of paper.

3. a. Defendant: NSY ORDA

Official Position:

Address: 2634 Main street

Lake Placid 12946

b. Defendant: _____

Official Position: _____

Address: _____

4. This action is brought pursuant to:

☒ Title VII of the Civil Rights Act of 1964, as amended, codified at 42 U.S.C. § 2000e *et seq.*, and the Civil Rights Act of 1991, for employment discrimination based on race, color, religion, sex or national origin.

☐ Pregnancy Discrimination Act of 1978, codified at 42 U.S.C. § 2000e(k), as amended, Civil Rights Act of 1964, and the Civil Rights Act of 1991, for employment discrimination based on pregnancy.

5. Venue is invoked pursuant to 28 U.S.C. s 1391.

6. Defendant's conduct is discriminatory with respect to the following (check all that apply):

- (A) ☒ My race or color.
- (B) ☐ My religion.
- (C) ☐ My sex (or sexual harassment).
- (D) ☒ My national origin.
- (E) ☐ My pregnancy.
- (F) ☐ Other: my age

7. The conduct complained of in this action involves:

- (A) ☐ Failure to employ.
- (B) ☒ Termination of employment.
- (C) ☐ Failure to promote.
- (D) ☒ Unequal terms and conditions of employment.
- (E) ☐ Reduction in wages.
- (F) ☒ Retaliation.
- (G) ☐ Other acts as specified below:

15. **PRAYER FOR RELIEF**

WHEREFORE, plaintiff(s) request(s) that this Court grant the following relief:
for the company to pay the doctor bill that I got due to my brake down, punitive damages,

I declare under penalty of perjury that the foregoing is true and correct.

DATED: 3-5-15

A handwritten signature in black ink, appearing to read "Paul Gibson", is written over a horizontal line.

Signature of Plaintiff(s)
(all Plaintiffs must sign)

02/2010



U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION
Buffalo Local Office

6 Fountain Plaza, Suite 350
Buffalo, NY 14202
(716) 551-4442
TTY (716) 551-5923
FAX (716) 551-4387

Paul A. Gibson
380 Mill Pond Drive
Lake Placid, NY 12946

Re: EEOC Charge No.: 846-2014-32296
Paul A. Gibson v. NYS Olympic Regional Development Authority

Dear Mr. Gibson:

The Equal Employment Opportunity Commission (hereinafter referred to as the "Commission"), has reviewed the above-referenced charge according to our charge prioritization procedures. These procedures, which are based on a reallocation of the Commission's staff resources, apply to all open charges in our inventory and call for us to focus our limited resources on those cases that are most likely to result in findings of violations of the laws we enforce.

In accordance with these procedures, we have evaluated your charge based upon the information and evidence submitted. You allege that you were harassed because of your race/black and that you were discharged because you complained.

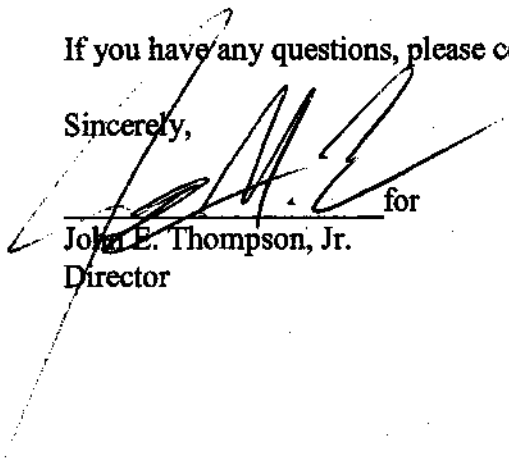
However, your complaint of racial harassment was dealt with by Respondent and the alleged harassers were discharged. With regard to your own discharge, it appears that you made threats regarding the use of firearms. As a result, there is no evidence that Respondent held any discriminatory animus against you because of your race/black and that your discharge was for a legitimate, non-discriminatory reason.

Based upon a review of the documents received, the Commission is unable to conclude that the information establishes a violation of Federal law on the part of Respondent. This does not certify that Respondent is in compliance with the statutes. No finding is made as to any other issue that might be construed as having been raised by this charge.

The Commission's processing of this charge has been concluded. Included with this letter is your Notice of Dismissal and Right to Sue. Following this dismissal, you may only pursue this matter by filing suit against the Respondent named in the charge with 90 days of receipt of said notice. Otherwise, your right to sue will be lost.

If you have any questions, please contact Jeremy Boyd at (716) 551-3355.

Sincerely,


for
John E. Thompson, Jr.
Director

Date: **DEC 11 2014**

EEOC Form 181 (11/09)

U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

DISMISSAL AND NOTICE OF RIGHTS

To: **Paul A. Gibson**
380 Mill Pond Dr
Lake Placid, NY 12946

From: **Buffalo Local Office**
6 Fountain Plaza
Suite 350
Buffalo, NY 14202



On behalf of person(s) aggrieved whose identity is
CONFIDENTIAL (29 CFR §1601.7(a))

EEOC Charge No.

EEOC Representative

Telephone No.

846-2014-32296

Jeremy M. Boyd,
Investigator

(716) 551-3355

THE EEOC IS CLOSING ITS FILE ON THIS CHARGE FOR THE FOLLOWING REASON:



The facts alleged in the charge fail to state a claim under any of the statutes enforced by the EEOC.



Your allegations did not involve a disability as defined by the Americans With Disabilities Act.



The Respondent employs less than the required number of employees or is not otherwise covered by the statutes.



Your charge was not timely filed with EEOC; in other words, you waited too long after the date(s) of the alleged discrimination to file your charge



The EEOC issues the following determination: Based upon its investigation, the EEOC is unable to conclude that the information obtained establishes violations of the statutes. This does not certify that the respondent is in compliance with the statutes. No finding is made as to any other issues that might be construed as having been raised by this charge.



The EEOC has adopted the findings of the state or local fair employment practices agency that investigated this charge.



Other (briefly state)

- NOTICE OF SUIT RIGHTS -

(See the additional information attached to this form.)

Title VII, the Americans with Disabilities Act, the Genetic Information Nondiscrimination Act, or the Age Discrimination in Employment Act: This will be the only notice of dismissal and of your right to sue that we will send you. You may file a lawsuit against the respondent(s) under federal law based on this charge in federal or state court. Your lawsuit must be filed **WITHIN 90 DAYS** of your receipt of this notice; or your right to sue based on this charge will be lost. (The time limit for filing suit based on a claim under state law may be different.)

Equal Pay Act (EPA): EPA suits must be filed in federal or state court within 2 years (3 years for willful violations) of the alleged EPA underpayment. This means that **backpay due for any violations that occurred more than 2 years (3 years) before you file suit may not be collectible.**

On behalf of the Commission


John E. Thompson,
Local Office Director

DEC 11 2014

(Date Mailed)

Enclosures(s)

cc:

David McKillip
NYS OLYMPIC REGIONAL DEVELOPMENT
AUTHORITY
2634 Main Street
Lake Placid, NY 12946